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To U.S. Patent Office:
Application/Control Number 10/613,880
Art Unit: 3673

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Henryk B. Jakubowski

Signature: 

To U.S. Patent Office:
Application/Control Number 10/613,880
Art Unit: 3673

Teri Pham Luu

Dear Ms. Luu:

According to our telephone conversation please find following changes:

Clarifications to your communication concerning the term "bathtub design"
and necessary changes needed to conform to the ruling. I am also amending the
title of my invention:

Please replace the title:

"Inflatable and Fully Adjustable Foot and Seat Support for Travelers" Page 1 line 5 with
new title:

"Self-Inflatable and Fully Adjustable Foot and Seat Support for Travelers"

Please delete: bathtub design from Page 21 line 6 and replace with:

cutout with accordion style sides at the bottom of the gas pillow

Please delete: bathtub/torus from Page 4 line 18 and replace with:

cutout with accordion style sides at the bottom of the gas pillow

Please delete: bathtub design from Page 13 line 3 and replace with:

cutout with accordion style sides at the bottom of the gas pillow

Please replace following sentence Page 13 lines 7- 8: Whether inflating the foot support
using a manual pump or inflating the footrest by mouth, this design will greatly
contribute to ease of use of "Inflatable and fully Adjustable Foot, and Seat Support for
Travelers"

and replace with: Whether inflating the foot support using a manual pump or inflating

the foot rest by mouth, or just by pulling apart top and bottom panels of footrest to self inflate the air pillow, this design will greatly contribute to ease of use of " Self-Inflatable and fully Adjustable Foot, and Seat Support for Travelers"

Please delete: bathtub design from Page 13 line 10 and replace with: cutout with accordion style sides at the bottom of the gas pillow

Please change the sentence: Present invention uses this design as a means of limiting amount of the air needed to achieve full use of an foot rest with all its benefits, and versatility of its function. from Page 13 lines 19-21 and replace it with:

Present invention uses cut out with accordion style sidewalls at the bottom of the gas pillow as a means of limiting amount of the air needed to achieve full use of a footrest with all its benefits, and versatility of its function.

Please replace: bathtubs design Page 15 line 7 with: cut out with accordion style sides H

Please replace: bathtub design Page 16 line 17 with: cut out

Please replace title: "Inflatable and Fully Adjustable Foot and Seat Support for Travelers"

Page 16 lines 22-23 with: "Self-Inflatable and Fully Adjustable Foot and Seat Support for Travelers"

Please change sentence Page 17 lines 4-6: By having accordion sides (see Fig.3) user will be able to adjust the height and angles of the air pillow to his or her preferences by shortening or lengthening all or some above mentioned Velcro Straps

and replace with: By having accordion sides (see Fig.3) user will be able to adjust the height and angles of the air pillow to his or her preferences by shortening or lengthening all or some above-mentioned Velcro Straps and self- inflate the air pillow.

Please replace Bathtub constructions Page 17 line 21 with: Cut out

Please replace: bathtub design Page 18 line 2 with: cutout at the bottom of the air bag

Please replace: bathtub design Page 20 line 2 with: cut out at the bottom of the air bag

Please replace bathtub page 23 line 7 with: cut out at the bottom of the air bag

Please replace bathtub design Page 23 line 12 with: Cut out at the bottom of the air bag

Please replace the title: "Inflatable and Fully Adjustable Foot and Seat Support for Travelers" Page 24 line 2 with: " Self-Inflatable and Fully Adjustable Foot and Seat Support for Travelers"

Please replace: bathtub design Page 24 line 10 with: Cutout at the bottom panel of the air pillow

Please replace: title on Page 1 of drawing: Fig 2 Bottom View, Illustrating Bath Tub Design and replace with: Fig.2 Bottom View Illustrating Cutout at the Bottom Panel of the Air Pillow

Please replace: title on Page 1 of drawing: Fig 3 Cross section to show Bathtub Design and Accordion Sides on a. b. Axis and replace with: Fig 3 Cross Section to Show Cutout at the Bottom Panel of the Air Pillow and Accordion Sides on a. b. Axis

Sincerely:


Henryk P. Jakubowski

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DETAILED ACTION***Information Disclosure Statement***

The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-23 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claims contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The specification fails to adequately describe the "bathtub" design. Therefore, the scope of the recitation "bathtub design" can not be ascertained.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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Claims 1-23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. Claim 1 recites an inflatable gas pillow having four elements; however, it fails to forth any structural cooperative relationship of the elements.

Furthermore, it is unclear what "bathtub design" refers to. Accordingly, the scope of the claim can not be ascertained.

Conclusion

The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

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